

IN THE UNITED STATES BANKRUPTCY COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

IN RE: ) Case No. 21-20078 CMB  
          ) Chapter: 13  
Richard B. Wahoski, Sr. )  
Stacey L. Wahoski, )  
    *Debtors*         )  
                        )  
Stacey L. Wahoski, )  
    *Movant*         )  
                        )  
VS.                 ) Related to Docket Nos. 49-55, 57  
                        )  
                        ) Hearing Date: October 27, 2021 @ 2:30  
Ally Bank, Capital One Bank, Cenlar Mortgage, )  
Midland Credit Management, New Rez LLC, PA Dept.)  
of Revenue, Peoples Natural Gas, Pinnacle Credit )  
Services, LLC, Portfolio Recovery Associates, LLC, )  
UPMC Physician Services, Unifund CCR, LLC, Office)  
of the US Trustee, and Ronda J. Winnecour, Trustee, )  
    *Respondents*     )

**ORDER CONFIRMING CHAPTER 13 SALE OF PROPERTY**  
**FREE AND DIVESTED OF LIENS**

AND NOW, this 28th day of October, 2021, on consideration of the Wife Debtor's Motion for Sale of Property Free and Divested of Liens to Kristen Beard and Richard Beard (her father) for \$112,000.00, after hearing held via Zoom, the Court finds:

(1) That service of the Notice of Hearing and Order setting hearing on said Motion for private sale of real property free and divested of liens of the above-named Respondent, was effected on the following secured creditors whose liens are recited in said Motion for Private sale, viz:

**DATE OF SERVICE NAME OF LIENOR AND SECURITY**

|                   |  |
|-------------------|--|
| September 9, 2021 | <b>Westmoreland County Tax Claim Bureau</b><br>2 N Main Street, Suite 406<br>Greensburg PA 15601   |
| September 9, 2021 | <b>Ronda J. Winnecour</b><br>Suite 3250, USX Tower<br>600 Grant Street<br>Pittsburgh, PA 15219   |
| September 9, 2021 | <b>Unifund CCR LLC</b><br>c/o Demetrios Tsarouhis, Esq.<br>Tsarouhis Law Group<br>21 S. 9 <sup>th</sup> St.- Suit 200<br>Allentown, PA 18102 |
| September 9, 2021 | <b>Portfolio Recovery Assoc. LLC</b><br>120 Corporate Blvd.<br>Norfolk, VA 23502   |

(2) That sufficient general notice of said hearing and sale, together with the confirmation hearing thereon, was given to the creditors and parties in interest by the moving party as shown by the certificate of service duly filed and that the named parties were duly served with the Motion.

(3) That said sale hearing was duly advertised on the Court's website pursuant to *W.PA LBR 6004-1(c)(2)* on September 9, 2021. Further advertisement was not necessary under W. PA. LBR 6004-2(a).

(4) That at the sale hearing the highest/best offer received was that of the above Purchasers and no objections to the sale were made which would result in cancellation of said sale.

(5) That the price of \$112,000.00 by Kristen Beard and Richard Beard (her father) was a full and fair price for the property in question.

(6) That the Buyers have acted in good faith with respect to the within sale in accordance with In Re: Abbotts Dairies of Pennsylvania, Inc., 788 F2d.143 (\*3d Cir. 1986).

Now therefore, **IT IS ORDERED, ADJUDGED AND DECREED**, that the sale by Special Warranty deed of the real property described 507 Sells Lane, Greensburg, PA 15601 in Westmoreland County is hereby **CONFIRMED** to Kristen Beard and Richard Beard (her father) for \$112,000.00, free and divested of the above recited liens and claims, and, that the Movant is authorized to make, execute and deliver to the Buyer above named the necessary deed and/or other documents required to transfer title to the property purchased upon compliance with the terms of sale;

IT IS FURTHER ORDERED, that the above recited liens and claims, be, and they hereby, are, transferred to the proceeds of sale, if and to the extent they may be determined to be valid liens against the sold property, that the within decreed sale shall be free, clear and divested of said liens and claims;

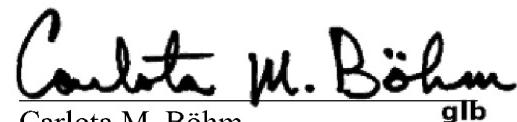
FURTHER ORDERED, that the following expenses/costs shall immediately be paid at the time of closing. *Failure of the closing agent to timely make and forward the disbursements required by this Order will subject the closing agent to monetary sanctions*, including among other things, a fine or the imposition of damages, after notice and hearing, for failure to comply with the above terms of this Order. Except as to the distribution specifically authorized herein, all remaining funds shall be held by Counsel for Movant pending further Order of this Court after notice and hearing.

- (1) The following liens(s)/claim(s) and amounts: Westmoreland County Tax Claim Bureau in the approximate amount of \$2,428.46 and Unifund CCR LLC in the amount of \$80,000.00 (per the payoff provided 10.22.2021). The exact pay-off amounts will be determined when the closing agent obtains the pay-offs at the time of the closing, parties will be paid in full at closing; it is the responsibility of the closing agent to obtain the payoff.
- (2) The judgment lien held by Portfolio Recovery Associates will NOT be paid from this closing and will instead be paid as part of the chapter 13 plan via the Chapter 13 Trustee's regular distribution schedule. The judgment lien and its associated fees and costs are considered released as to this property for the purpose of this sale.
- (2) Delinquent real estate taxes and municipal fees, if any;
- (3) Current real estate taxes, pro-rated to the date of closing;
- (4) Normal closing costs including title search, legal fees, revenue stamps, and any other normal and necessary closing costs;
- (5) The Court approved attorney fees in the amount of \$1,680.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (6) The Court filing fee of \$188.00 payable to Steidl & Steinberg, P.C. 707 Grant Street, Gulf Tower-Suite 2830, Pittsburgh, PA 15219;
- (7) Chapter 13 Trustee "percentage fees" in the amount of \$2,461.80 payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 2587, Pittsburgh, PA 15230"; and,
- (8) "Net proceeds" from the closing as identified on the ALTA or HUD-1 to the Chapter 13 Trustee payable to "Ronda J. Winnecour, Ch. 13 Trustee, P. O. Box 84051, Chicago, IL 60689-4002," and which check will include the Debtor's name and bankruptcy case number and which will be sent with a copy of this Order, which amount, after deduction of Trustee fees, is to be earmarked (a) first for payment of the balance needed to pay 100% of the timely filed unsecured priority and general non-priority unsecured creditors

(exclusive of any allowed late filed claim of Unifund CCR, LLC), which amount, in accordance with §349, shall be distributed to the unsecured creditors notwithstanding a subsequent dismissal of this case, and (b) the balance (if any) to general plan funding.

FURTHER ORDERED that:

- (1) ***Within seven (7) days of the date of this Order***, the Movants/Plaintiffs shall serve a copy of the within *Order* on each Respondents/Defendants (i.e., each party against whom relief is sought) and its attorney of record, if any, upon any attorney or party who answered the motion or appeared at the hearing, the attorney of the Debtors, the Closing Agent, the Purchasers, and the attorney for the Purchasers, if any, ad file a certificate of service.
- (2) ***Closing shall occur within ninety (90) days of this Order.***
- (3) ***Within seven (7) days following closing***, the Movants/Plaintiffs shall file a ***Report of Sale*** which shall include a copy of the HUD-1 or other Settlement Statement; and,
- (4) This ***Sale Confirmation Order*** survives any dismissal or conversion of the within case.

  
Carlota M. Böhm  
Chief United States Bankruptcy Judge

FILED  
10/28/21 7:32 am  
CLERK  
U.S. BANKRUPTCY  
COURT - WDPA

In re:  
Richard B. Wahoski, Sr.  
Stacey L. Wahoski  
Debtors

Case No. 21-20078-CMB  
Chapter 13

District/off: 0315-2  
Date Rcvd: Oct 28, 2021

User: culy  
Form ID: pdf900

Page 1 of 2  
Total Noticed: 1

The following symbols are used throughout this certificate:

| Symbol | Definition   |
|--------|--|
| +      | Addresses marked '+' were corrected by inserting the ZIP, adding the last four digits to complete the zip +4, or replacing an incorrect ZIP. USPS regulations require that automation-compatible mail display the correct ZIP. |

**Notice by first class mail was sent to the following persons/entities by the Bankruptcy Noticing Center on Oct 30, 2021:**

**Recip ID**                    **Recipient Name and Address**  
db/jdb                    + Richard B. Wahoski, Sr., Stacey L. Wahoski, 751 Forbes Trail Rd., Greensburg, PA 15601-6547

TOTAL: 1

**Notice by electronic transmission was sent to the following persons/entities by the Bankruptcy Noticing Center.**  
Electronic transmission includes sending notices via email (Email/text and Email/PDF), and electronic data interchange (EDI).

NONE

## BYPASSED RECIPIENTS

The following addresses were not sent this bankruptcy notice due to an undeliverable address, \*duplicate of an address listed above, \*P duplicate of a preferred address, or ## out of date forwarding orders with USPS.

NONE

## NOTICE CERTIFICATION

I, Joseph Speetjens, declare under the penalty of perjury that I have sent the attached document to the above listed entities in the manner shown, and prepared the Certificate of Notice and that it is true and correct to the best of my information and belief.

**Meeting of Creditor Notices only (Official Form 309): Pursuant to Fed .R. Bank. P.2002(a)(1), a notice containing the complete Social Security Number (SSN) of the debtor(s) was furnished to all parties listed. This official court copy contains the redacted SSN as required by the bankruptcy rules and the Judiciary's privacy policies.**

Date: Oct 30, 2021

Signature: /s/Joseph Speetjens

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## CM/ECF NOTICE OF ELECTRONIC FILING

The following persons/entities were sent notice through the court's CM/ECF electronic mail (Email) system on October 28, 2021 at the address(es) listed below:

| Name                    | Email Address   |
|-------------------------|---|
| Charles Griffin Wohlrab | on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING cwohlrb@raslg.com  |
| Kenneth Steidl          | on behalf of Joint Debtor Stacey L. Wahoski julie.steidl@steidl-steinberg.com<br>ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com |
| Kenneth Steidl          | on behalf of Debtor Richard B. Wahoski Sr. julie.steidl@steidl-steinberg.com,<br>ken.steidl@steidl-steinberg.com;ifriend@steidl-steinberg.com;asteidl@steidl-steinberg.com;todd@steidl-steinberg.com;cgoga@steidl-steinberg.com;rlager@steidl-steinberg.com;leslie.nebel@steidl-steinberg.com |
| Lauren Moyer            | on behalf of Creditor Ally Bank ecfmail@ecf.courtdrive.com  |

District/off: 0315-2

User: culy

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Date Recd: Oct 28, 2021

Form ID: pdf900

Total Noticed: 1

Maria Miksich

on behalf of Creditor NEWREZ LLC D/B/A SHELLPOINT MORTGAGE SERVICING mmiksich@kmllawgroup.com

Office of the United States Trustee

ustpregion03.pi.ecf@usdoj.gov

Ronda J. Winneccour

cmevf@chapter13trusteewdpa.com

S. James Wallace

on behalf of Creditor Peoples Natural Gas Company LLC ecfpeoples@grblaw.com PNGbankruptcy@peoples-gas.com

TOTAL: 8